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CRIMINAL COMPLAIN	T . 0318 CR 8063	Trial Court of Massachusetts
<i>F</i>		District Court Department
1	NAME ADDRESS AND ZIP CODE OF DEFENDANT Edwin Rodriguez 16 Springfield St./ Lawrence, MA	TO ANY JUSTICE OR CLERK-MAGISTRATE OF THE DISTRICT COURT DEPARTMENT: The undersigned complainant, on behalf of the Commonwealth, on oath complains that on the date and at the location stated herein the defendant did commit the offense(s)
T, DOB AND SEX	OFTENSE CODE(S)	listed below.
0/7/70 male	205,605,605,508,643,960	
.2/13/03 MPLAINANT	Lawrence (POUCE OFPARTMENT III ADDICUMN)	
	Lawrence	115/64
Kevin Nigohosian	RETURN DATE AND TIME	
12/15/03	WARRANT	276 8 58
	NT. TO COMMIT A FELONY c266 sl	6 MO COINTACT
		·
D.ASSAULT AND BATT	KRY c265 al3a	
	Leadon 10 miles	
s.13A. ii		is pregnant, in violation of G.L. c.265.
S.13A. ii COUNT-OFFENSE C.ASSAULT AND BATT	ERY c265 al.3A	
S.13A. ii COUNT-OFFENSE C.ASSAULT AND BATT	ERY c265 al.3A	i
count-offense c.ASSAULT AND PATT did assault and be count-offense d.MAL. DESIRUCTION	TERY c265 sl.3A Sat Shannon Smith, Household Me N OF PROP. OVER \$250 c266 sl.27	ember, in violation of G.L. c.265, s.13A.
count-offense c.ASSAULT AND BATT did assault and be count-offense d.MAL. DESTRUCTION	TERY c265 sl.3A Sat Shannon Smith, Household Me N OF PROP. OVER \$250 c266 sl.27	enber, in violation of G.L. c.265, s.13A. e the personal property, dwelling house, or operty so destroyed or injured exceeding two
count-offense c.ASSAULT AND PATT did assault and be count-offense d.MAL. DESTRUCTION did wilfully and building of Shann hundred and fifty	TERY c265 sl3A Seat Shannon Smith, Household Me NOF PROP. OVER \$250 c266 sl27 maliciously destroy or injuration Smith, the value of the pr dollars, in violation of G.L.	e the personal property, dwelling house, or operty so destroyed or injured exceeding two c.266, s.127.
count-offense c.ASSAULT AND BATT did assault and be count-offense d.MAL. DESTRUCTION	TERY c265 sl3A eat Shannon Smith, Household Me N OF PROP. OVER \$250 c266 sl27 maliciously destroy or injury	e the personal property, dwelling house, or operty so destroyed or injured exceeding two c.266, s.127.

FEB-25-2004 Case41:04-cr-10083-NGRIA Document 53-2 Filed 02/01/2005 Pagas401412 P.07 000Kalinnwater 8063 Page 2 012 ADDITIONAL COUNTS THREATENING TO COMMIT A CRIME c275 s2 id threaten to commit a crime against the person or property of another, to wit: murder of hannon Smith, in violation of G.L. c.275, s.2. COUNT-OFFENSE f. INTIMIDATION OF A WITNESS c268 s13B did directly or indirectly, wilfully endeavor by means of a gift, offer or promise of something of value or by misrepresentation, intimidation, force, or threats of force, to influence, impede, obstruct, delay or otherwise interefere with a witness or juror in a stage of a trial or other criminal proceeding, or with a person furnishing information to a criminal investigator relating to a violation of a criminal statute of the Commonwealth, in violation of G.L. c.268, s.13B. COUNT-OFFENSE COUNT-OFFENSE COUNT-OFFENSE COUNT-OFFENSE

COMPLAINANT

ON (DATE)

INCIDENT DETAILS

ROOM WINDOW THAT IS ALSO A FIRE EXIT FOR THE APT.

KEYS AND HAD NO CONSENT TO BE IN THE APT. SMITH BELIEVES RODRIGUEZ GAINED ENTRY THROUGH THE LIVING HER CHILDREN AND WENT HOME TO 54 HAVERHILL ST. SMITH STATED RODRIGUEZ WAS IN HER APT. HE DOES NOT HAVE

GOING TO CALL THE POLICE AND RODRIGUEZ GRABBED THE PHONE TEARING ALL THE WIRES OUT, BREAKING CABLE BOX, AND TV IN THE LIVING ROOM. RODRIGUEZ BEGAN PUNCHING SMITH IN THE HEAD AT LEAST TEN TIMES

Reviewed By

Page 1 of 2

WHEN SMITH ASKED HIM TO LEAVE RODRIGUEZ BECAME VERY ANGERED AND VIOLENT. SMITH STATED SHE WAS

Sunature S. S. Jacobson S. John S. Contraction of the Contraction of t

Dil Kaufa T Nicohosian

Lawrence Police Department 90 Lowell Street Lawrence, MA 01840

Incident Report

Log # 03017631

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OF SPOK		2	┼-	2	Status Qty	Property Code: A - Abandoned E - Evidence	Charges	*	Charges THE	#2	Charges B&E	·	SRODA		- 1	HLIMS	- 1	C NIGOHOSIAN	T S	tus Code:	Submitted SA 12/10/2003 Report 1. Missing S. Suspect V. Vidim W. Wilness O. Other Race Code: W. White H. Hispanic B. Black	aron .	Date of SAT		
ON 12/13/03 I AND OFFICER HAYES WERE DISPATCHED TO 37 FORT BY HER BOYFRIEND OF 4 MONTHS EDWIN I SPOKE WITH V- SHANNON SMITH WHO STATED SHE WAS ASSAULTED BY HER BOYFRIEND OF 4 MONTHS EDWIN RODRIGUEZ. SMITH STATED SHE HAD GONE OUT WITH HER AUNT IN HAVERHILL UPON RETURNING SHE DROPPED OFF RODRIGUEZ. SMITH STATED RODRIGUEZ WAS IN HER APT. HE DOES NOT HAVE RODRIGUEZ WAS IN HER APT. HE DOES NOT HAVE RODRIGUEZ WAS IN HER APT. HE LIVING			100		Year	de: A - Abi			THREATS TO KILL		B&E NIGHT WINT TO CM FEL		RODRIGUEZ					OSIAN	Last Name	C - Complai	SAI 12/13/2003	2000	SAT 12/13/2003	19/	Lawre
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NE OUT						- 1	- lost R	-		NTIMIDATION OF A WITNESS		PO LOUGE HOLD MEMBER	_	3	+	-	n			Sex	Seno S	Catton of	Incident	Type of	
ED SH	770	_				State	R - Recovered		-	WITNES		MEMBER		I		:	٤			Race	Suspect	54 HA\		ASSAL	:
E WAS HER A	בובה זר					State Registration	d S-Slolen			SS				12/03/1979			11/08/1978			D.O.B.	V - Victim	Location of 54 HAVERHILL SI		Type of ASSAULT & BATTERY	
ASSAI UNT IN STATEI	54 HA	-				п Соют	en T-Towed					A&B PRE		979		-	78			Te	W-Wiln	S		ATTER	
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D OF A	TIC PAS					or VIR	ged w					MAL DAMAGE OVER		16 SPRINGFIELD ST LAWRENCE MA			54 HAVERHILL ST LAWRENCE MA			OCIOSS	- Hispanic	Aparment #	Floor or	Dispule	}
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LTED BY HER BOYFRIEND OF 4 MONTHS EDWIN HAVERHILL UPON RETURNING SHE DROPPED OFF RODRIGUEZ WAS IN HER APT. HE DOES NOT HAVE RODRIGUEZ WAS IN HER APT. HE DOES NOT HAVE	FRHILL ST FOR A DOMESTIC PAST, UPON ARRIVAL					Est, value	Tel Value	"																YES	:
NACE OF SECOND	VAL		}	}		1	1	١	}	1			1	1	1	1	1			1	ļ	}		1	1

ARRANGEMENTS CAN BE MADE.

MONDAY

SAT 12/13/2003 Time of Report 04:00 HRS Location of 54 HAVERHILL ST SMITH STATED SHE COVERED HER HEAD WITH BOTH HANDS AS

AS RODRIGUEZ LEFT THE APT. HE STATED WHEN "I COME BACK IM GOING TO KILL YOU". SMITH STATED SHE WAS UNABLE TO CALL POLICE RIGHT AWAY HAVING TO WAIT UNTIL SHE COULD SPLICE THE PHONE WIRE WITH A KNIFE TO SHE ATTEMPTED TO PROTECT HERSELF, I OBSERVED RED LUMPS ON THE BACK OF HER HEAD AND BRUISES ON THE CALL THE POLICE, SMITH STATED SHE IS PREGNANT WITH RODRIGUEZ CHILD AND HAS BEEN BLEEDING SINCE THE HIS RETURN. SMITH WAS ADVISED OF HER 209A RIGHTS AND A FRIEND WILL BE STAYING WITH HER UNTIL SAFER INCIDENT. SMITH CALLED HER DOCTOR WHO INFORMED HER IF THE BLEEDING GETS WORSE TO CALL RIGHT AWAY. SMITH REFUSED MEDICAL TREATMENT BUT REQUESTED EXTRA CHECKS OF HER HOME BECAUSE SHE IS IN FEAR OF EXTRA CHECKS WILL BE MADE OF THE AREA AND A WARRANT WILL BE SOUGHT ON

Reviewed By

Officer's Signature

Vania T Ninnhoslan

Page 2 of 2

TOTAL P.09

YES

03017631

Aparlment #

Floor or



Date 12/05/03

Time on Video Tape 12:45:47 CHOLO Edwin Rodriguez & PERRO Josue Rodriguez

CW	Arrives at CHOLO's residence.	CHOLO gets in the
		vehicle with the CW.
CHOLO	Let's go to PERRO's house.	, , , , , , , , , , , , , , , , , , ,
CW	I thought we were going to Lowell?	
CHOLO	I don't know where the guy lives in Lowell.	
	PITO is the one that knows where he lives,	
	but PITO is always burning everyone let's go	
	over to PERRO's. If you had called last night	
	I would have gotten it for you.	
CW	Does PERRO have it?	
CHOLO	PERRO will get it like that. CHOLO can be	
	seen snapping his fingers indicating very fast.	
	Because he's always getting it for his white	
	customers. He has some white people that are	
	always buying rocks (Crack Cocaine) &	
	Manteca (Heroin). It's a fourteen what you	
	want?	
CW	Yeah!	
	That's what I told PERRO last night because	
	he was with me.	
	Small Talk	
CHOLO	What are you doing, are you selling up their	
GIII	in New Hampshire?	
CW	Yeah!	
CHOLO	What do you sell them for? For \$40.00.	
CW	No, I break them and I sell them for \$60.00.	
CHOLO	I use to sell in Manchester and I would sell	
	the \$20.00 for \$40.00 and a bag of heroin for	
CIII.	\$20.00 in Manchester.	
CHOLO	Damn!	
CHOLO	I use to make a lot of money. Myself, Vicente	
	& Perro we were making money. You know	
	that they are looking for Perro, he has	
- CVII	warrants?	
CW	I didn't now that he has warrants. You want	
	to meet him on the highway?	
CHOLO	Small Talk	
CHOLO CW	The Feds are looking for Christian.	
	Anything you can get for me, I can sell it.	
CHOLO	Cocaine?	

DRAFT

CW	No, cocaine is to make money. Guns,		
	bullctproof vest, anything. I will sell it.		_
CHOLO	Imagine the other day they were selling me	j	
	two. A nine and a forty, both for eight		
	hundred dollars.		_
CW	Set that up for me.		
CHOLO	I have to talk to my friend, he's the one that		
	brings them.	<u> </u>	
CW	Set it up.		
CHOLO	Victor bought one.		
	Small Talk		
12:58:34			
CHOLO	Goes to talk to PERRO, he comes back and		
	tells the CW that PERRO is making a phone		
	call and that he will be right down. He says		
	that he can get grams of heroin for \$80.00 a		
	gram.		L.,
CW	You'll sell me 10 grams for \$800.00?		
CHOLO	I have to talk to the guy.		
CW	You have to give me a good price.		
CHOLO	Where does your friend sell?]
CW	In Concord NH.		
CHOLO	He has to be careful.		
CW	He's careful, I give him his stuff and he		
	leaves.		
CHOLO	No wonder, I see you standing out there,		
	every time I go to the liquor store I see you.		
CW	You know business.		
	Small Talk		
1:03:12			
CHOLO	We stole two pounds of marijuana from him		
	because he wouldn't sell us a ½ oz of		
	marijuana. He thought that we were going to	1	
	rob him. We waited till he went to sleep and		
	we broke into his car and we took the two		
	pounds of marijuana that he had under the		
	seat of car. Give me the phone so I can tell		
	Cindy to call him again. CHOLO calls 258-		1
	3736 or 7336. Talks to unidentified subject		
1	and informs the subject to call Cindy and		
	have her tell PERRO that I'm outside in the		Ì
	Montero. Hangs up and states "I don't like		
	making deals like this. I told him yesterday to		
	have the stuff for shore.	j	1
	Small Talk		T



CHOYO		
CHOLO	Talks about having sex with a fourteen-year-	
	old girl, for three months.	
1 10 11	Small Talk	
1:10:41		
CHOLO	Do you have the money?	
CW	Yeal I'll give you the money after you tell me	
	how much it's going to be.	
CHOLO	\$450.00 so we both can make some money.	
CW	I have to weigh it with the scale.	
CHOLO	No, some times he brings it with two extra	
	lines, or three. PERRO and VICENTE use to	
	sell for him and they would take from him	
	ounces, half ounces & half kilo that old man	
	is like that he appeald since I at	
	is like that, he would give my brother	
	anything that he wanted. Small Talk	
1:13:18	Sman Taik	
CHOLO		
CHOLO	Tell the CW how him and PITO beat down	
	two males while in the Middleton Jail. I have	
	a connection for ecstasy they buy them for	
-	\$6.00 and sell them for \$15.00.	
CW	I want to buy in quantity.	
CHOLO	That's how they get them they get 1,200 to	
	1,500 at a time. You can get them cheap in	
	NY.	
CW	Complains about the time.	
CHOLO	I tell him to call us when the stuff is here.	
	That's what I have to start doing, selling in	
	large quantities.	
CW	Where are you going?	
CHOLO	I have a big connection in Brookline, but to	
	go over there and bring it back that's fucked	
	In with all the considered that's Tucked	
	up with all the cops down there. We went	
	down there and we sniffed everything. Small Talk	
1:18:20	Small talk	
CW		
CHOLO	Beeping the horn several times.	
CHOLO	They have it in powder and the powder is	
	good.	-
1.20.07	Small Talk	
1:20:07		
CHOLO	VICENTE & PERRO got caught with a gun,	
	some crack and some cocaine and the case	
	was dismissed because there was no search	
<u>-</u>	warrant,	
-	Small Talk	

DRAFT

1:21:57		
CHOLO	Calla Cindu to call DEDDO 11 11	
CHOLO	Calls Cindy to call PERRO and have him call this number.	
PERRO		
LEKKO	Comes out to the porch and yells down at	
	CHOLO and CW and tells them to come back	
CHOLO	in one half-hour.	
CHOLO	Get back in the car and talk to the CW about a	
	male that he punched and set him down the	
	stairs. Talks about his friend shooting at	
	someone and the cops pulling up in a taxi and	
	arresting his friend. Talks about hitting his	
	girlfriend. Talks about a male that got arrested	
	with a kilo.	
2:13:23		,
CHOLO	Talks about a drug dealer offering him	
	\$25,0000 to break his girlfriend's legs. But he	
	could not find the girl. States that he can cook	
	the cocaine at his house, and that he's never	
	been caught with drugs.	į.
3:07:26	The state of the s	
	Back on Bennington St.	
CHOLO	Gets out of the car and start whistling up to	
	PERRO.	
CW	Yells tell him to come down.	
CHOLO	He's coming down. Do you have the	
	\$550.00?	
CW	Yea!	
CHOLO	PERRO deals with everyone, he has some	
	customer from NH that come down and buys	
	\$1,000.00 worth of drugs. One of the guys	
	gave me \$150.00 after the deal. Everyone	
	trusts PERRO.	
3:15:41		
PERRO	Gets in the vehicle.	
CW	Talking about PERRO and PERRO is here	
	drinking beer.	
PERRO	What's up.	
CW	Damn you told me \$450.00 and now it's	
	\$550.00	
PERRO	I don't know anything about that. I thought	
	the guy was going to give it to me cheaper.	
CW	What happened with the ecstasy?	
PERRO	I forgot about the connection! I can get you	
	what ever your need a state of the state of	
	I What evel you need anything anidhing	
	what ever you need, anything, anything.	

DRAFI

			7
	PERRO - CHOLO - CW & Carlos drive to		
<u> </u>	the liquor store at the corner of Park &	İ	١
	Hampshire St.		
3:31:??	Back on Bennington St. Carlos get out of the		
	car.		
CHOLO	Asked for the money, PERRO gets out		٦
	CHOLO hands PERRO the money, PERRO		1
	walks away and with in seconds gets back		-
	into the vehicle and weighs the crack cocaine.		-
CW		· · · · · · · · · · · · · · · · · · ·	\dashv
<u> </u>	Checks it weighs 14.4.		\dashv
PERRO	Says so give me some more money.		
CW	Give me a better deal next time \$450.00		Ц
1	Both PERRO & CHOLO get out of the car	1	1
	and the CW drives away.		
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